Against the Old Commodore-The Case of Kenyon Cox & Co.

## THE GRINNELL BANKRUPTCY CASE.

Judge Blatchford's Decision-Blake Bros. & Co. to Sell the Stocks in Their Hands.

MEDLEY OF MANDAMUS MOTICAS.

Impertant Decisions by Judge Barrett in Cases Against Comptroller Green.

### BUSINESS IN THE OTHER COURTS.

It will be seen by reference to our law report that, in the matter of George Bird Grinnell & Co. against whom a petition for adjudication of bankruptcy has been filed in the United States District Court, Judge Blatchford has granted an order modifying an injunction which went to restrain Blake Brothers & Co. from selling certain stocks placed in their hands by George Bird Grinnell & Co. as collaterals. The order of the Judge enables Blake Brothers & Co. to sell the stocks in question subject to certain conditions and requirements of the bankruptcy law.

In the United States Circuit Court yesterday Edmund Walker was put upon his trial, before Judge Benedict and a jury, on an indictment charging him with having had in his possession, at Morrisania, Westchester county, a plate intended to be used for the printing of counterfelt money. After a trial, which lasted the whole day, the jury found a verdict of guilty, recommending the pris-

Floris Suich, a sailor of the Italian vessel Patrie. was yesterday brought before Commissioner Osborn, and held for examination, on a charge of desertion.

E. M. Grandon, who had been convicted in the United States Circuit Court of sending obscene publications through the mails, and sufered a year's imprisonment for that offence, has applied to Commissioner Shields for his discharge, on the ground that he was unable to pay the fine of \$500 which was attached to the sentence, and has been in prison for more than thirty days beyond the term fixed by the Court. Grandon, in all probability, will be discharged to-day.

A medley of mandamus matters will be found reported below. It will be seen that Judge Barrett has given an important decision touching some applications for mandamuses recently made before him in Supreme Court Chambers. It will be further seen that the confiding jewellers who made gold badges for the members of the Common Council of 1870 are not likely to get their money, An interesting feature of the report is Mr. Dexter A. Hawkinsinterviewing the HERALD law reporter.

A petition has been filed by W. L. Scott, of Erie, Pa., for the purpose of throwing Kenyon Cox & Co., bankers, into bankruptcy. It is stated in the petition that Daniel Drew is a member of this firm; that they have suspended payment of their commercial paper, and that Daniel Drew recently, in contemplation of insolvency, executed four mortgages of real estate in New York, to the amount of \$270,000 each, for the purpose of defrauding his creditors and hindering and delaying the opera, tion of the Bankruptcy act. The order to show cause why the firm should not be adjudicated bank rupt is returnable on Saturday next, the 18th inst.

## DANIEL DREW IN THE COURTS.

Charges of Fraudulent Insolvency Made Against the Old Commodore-A Petition in Bankruptcy Filed Against Kenyon Cox & Co .- Daniel Drew Involved-More Light Wanted.

William L. Scott, of Erie, Pa., has filed in the United States District Court a petition in bankruptcy, alleging that he is a creditor of Daniel Drew, Kenyon Cox, William H. Hutchinson and Horace Manuel, doing business under the firm name of Kenyon Cox & Co., and he prays that this firm be adjudicated bankrupts. The amount of Mr. Scott's claim is \$6,183, for balance of money due on deposit with Kenyon Cox & Co., and the allegation respecting the same is, that the on deposit with Kenyon Cox & Co., and the allegation respecting the same is, that the firm in question suspended payment of their commercial paper on the 13th of September, 1873, and did not resume payment of the same for a period of fourteen days. On the 10th of September, as stated in the petition, Kenyon Cox & Co., iraudulently suspended payment of a drait drawn upon them by the petitioner, and payable to the order of Messres. J. E. Caidwell & Co., for the sum of \$270.75; that on the 18th of September, the said firm of Kenyon Cox & Co., being bankers, stopped the payment of a drait drawn by M. H. Taylor, Treasurer of the Canada Southern Railway Company, dated July 14, 1873, for \$8,084, and accepted by Kenyon Cox & Co. on July 21, 1873; that on the 20th day of September, 1833, Daniel Drew (as the petioner is informed and verily believes) did, in contemplation of bankruptcy or insolvency, execute and deliver four certain mortgages for \$70,000 each—one to Louisa R. Edey, one to Georgiana Everett, one to Josephine Cozzens, and one to Antoinette Cozzens—all payable upon demand and upon real estate in this city; that the mortgages in the payable upon demand and upon real estate in this city; that the mortgages in the mortgages, and with the intent by such incumbrance of Mr. Drew's property to defraud his creditors and deleat and delay the operation of the Bankruptcy act. The petitioners want more light thrown on the matter.

Upon this petition Judge Blatchford has granted an order returnable on Saturday next, the 1sh inst, calling upon Kenyon Cox & Co. to show cause

an order returnable on Saturday next, the lath inst., calling upon Kenyon Cox & Co. to show cause why they knowled not be adjudicated bankrupts.

#### THE BANKRUPTCY OF GRINNELL & CO.

Blake Brother's & Co. to Sell the Stocks in Their Har ids Subject to Certain Con-

ditions—Judg e Blatchford's Decision. Yesterday Judge i Blatchford rendered his decision in the United States. District Court in the matter of George Bird Grinnell & Co., against whom a petition for adjudication of bankruptcy has been filed. The decision, it will be seen, modifies an injunction order which had been granted, restraining Blake Brothers & Co. from sen ing certain stocks placed in their hands by George Bird Grinnell & Co. The decision is as follows:-

In this matter, on the na otion of Blake, Brothers & Co., let an order be entered modifying the injunction so as to allow then I to sell, according to the course of the New York Stock Exchange, all the stocks and bonds remaint ugin their hands (specifying the same) mentions d in the affidavit of Mr. Olcott, as having been a eposited with Blake, Brothers & Co., by George Br. d Grinnell & Co., as collateral security, and to use the proceeds as if they were their own moneys, a tipect, however, to and reserving the right aim pr wer of this Court, in case of an adjudication of ban kruptcy and subsequent proceedings thereon, 't' ascertain and liquidate the liens and specific cla 'ms which have been, or may be set up by Blake Brothers & Co., in respect of all or any o, said stocks and bonds, or of the proceeds of the same, and to marshal and dispone of such proceeds and reserving the right of a ya sasignee in bankruptcy, who may be appointed herein, to question by suit or otherwise the valid. 'ty of the pledge of the securities deposited wit Blake Brothers & Co., by George Bird Grinnell & Co., on the 18th of September, 1873, namely 400 shares of the capital stock of the Union Pacific Ra. Iroad Company; 400 shares of the common capital, tock of the Chicago and North Western Railroad Company; and \$10,000 of the registered Lake Shore and Michigan Southern Railway Company's Sinkh. Ig fund bonds, and the validity of the pledge of the \$30,000 of the last described bonds deposited with Blake Brothers & Co., by George Bird Grinnell & Co., on the 26th of September, 1873, and reserving the right of such assignee to question the right of such securities given on one loan for a deficiency on any other loan. and reserving the right of such assignee to compel Blake Brothers & Co., to account to him in respect to the disposition and application of the proceeds of all the securities deposited with Blake Brothers & Co., as mentioned in the amdavit of W. Olcott, whether such securities have been already soid or are jet unsola; In this matter, on the na otion of Blake, Brothers & Co., let an order be en ared modifying the in-

THE COURTS.

The modification, to be subject to the condition that Blake Brothers & Co. shall file in this Court within two Jays after the future sale of any of said the same. A provision must be inserted in the order that, nothing contained in it shall be construed as a direction of the Court for the sale of the securities, a sworn statement of the particulars of the same. A provision must be inserted in the order that, nothing contained in it shall be construed of the Bankruptey act or otherwise, or as implying any assent by George Bird Grinnell & Co. to a sale, so far as such assent was or is necessary under the court said of the debtors and to the petationing creditor.

#### MEDILEY OF MANDAMUS MATTERS.

Important Decisions by Judge Barrett-An End of the Badgering About Those Common Council Gold Badges—Cases Set Down for Hearing—Joseph B. Young's Copylsts-The Services at Albany of Dexter A. Hawkins.

If the mandamus business keeps up its present iveliness in the courts it is urged that there ought to be a special judge assigned to take exclusive cognizance of this class of cases. Lawyers plain that they cannot get their cases attended to on account of the growth in this branch of litt gation. Comptroller Green has employed a special mandamus lawyer, and why not, it is urged, have a special mandamus judge as well? and then the ndamus machine can be run without detriment to the great multiplicity of other actions, which, it is claimed, are of equally pressing character.

IMPORTANT DECISIONS BY JUDGE BARBETT. Opening yesterday's mandamus budget were ome important decisions rendered by Judge Barrett upon cases recently heard by him while sitting in Supreme Court, Chambers. As to George H. Purser's claims, which are for services as clerk to commissioners in six atreet openings, and which it was sought to have paid through a peremptory mandamus directed to the Comptroller, Judge Barrett refused the mandamus asked for on the ground that the proper remedy is by action at law. Of course the inference is that Mr. Purser will now retire from the mandamus business and seek justice at the hands of a jury. The same disposition was made regarding a similar application made by Mr. John A. Bagley to recover pay for services as surveyer in four street openings. William Wood, Gratz Nathan and John Hennessey are put in the same boat. The main ground of resistance to the applications of these three gentlemen is that at the time they performed the services for which they claim pay in connection with street openings they were holding county offices and are not entitled to two salaries. Mr. Dexter A. Hawkins, the Comptroller's special mandamus lawyer, insists that the decisions in the cases of Purser and Bagiey cover a score or more of similar cases in which he has been retained by the Comptroller. Some of the opposing counsel, however, think otherwise, and, like the unemorably intractable Brown, think it will not do to give it up so. Barrett upon cases recently heard by him while

up so.
THOSE COMMON COUNCIL GOLD BADGES.
While many of the gold badges given to the members of the Common Council in 1870 have long since

THOSE COMMON COUNCIL GOLD BADGES.

While many of the gold badges given to the members of the Common Council in 1870 have long since "gone where the woodbine twineth," the unfortunate jeweiters' firm who filled the order find their claim as hopelessiy gone up the spout. Having been defeated in a suit brought against the city, on the ground that there was no appropriation from which to pay the claim, they sought to get a peremptory mandamus against the Board of Estimate and Apportionment, directing them to make the necessary appropriation. This application was yesterday denied by Judge Barrett on the ground of their having been nonsuited.

ANOTHER SURVEYOR'S CLAIM.

The details of M. Edward Boyle's claims against the city for services as surveyor have been too frequently given in these columns to require recapitulation. Some time since the bill was taxed for the full amount of the claim and his counsel, Mr. Abraham R. Lawrence, has fought earnestly for a peremptory mandamus against the Comptroiler, directing its payment. The case was set down for argument yesterday, in Supreme Court Chambers, before Judge Fancher. Mr. Hawkins was on hend and insisted that the decision of Judge Barrett referred to above covered this case also. Mr. Lawrence took issue on this point, and said he decidedly objected to having this case tagged on any other cases Mr. Hawkins might have. Judge Fancher threw in the remark that he never knew two mandamus cases alike, and that each stood on its own bottom.

"Well, I must have time to prepare my return," protested Mr. Hawkins.

"That's the old singsong," said Mr. Lawrence, "and I am getting tired of it."

"How much time do you want?" the Judge asked Mr. Hawkins.

"Soeph B. Young, while Clerk of the Board of Supervisors, through authority of the Board of Supervi

Judge Prait, who was then holding Supreme Court Chambers in this city, a mandamus was asked for against the Comptroller. Mr. Hawkins resisted the claim, and the result has been that the clerks have agreed to accept \$6,000, and the same has been paid to them on receipts being given absoiving the city from any further liability in the matter.

MR. HAWKINS IN SELF-DEFENCE.

As Mr. Hawkins was retiring from the arena of legal strile he approached the HERALD reporter.

"The papers, I see," he observed smilingly, "are giving me 'rats' about my being paid, \$7,500 for services in Albany."

"I suppose many think," observed the reporter, "that the charges were rather steep for a professed reformer."

"I acted the reformer, too," answered Mr. Haw-

"facted the reformer, too," answered Mr. Haw-kins, his countenance now as devoid of a smile as Worms. "I saved the city millions of dollars, and, instead of the pairry sum I received, \$80,000 would not have been too much for my services."

The great mandamus lawyer then withdrew, and bere ends yesterday's record of mandamus matters.

# BUSINESS IN THE OTHER COURTS.

SUPREME COURT-CHAMBERS. Decisions.

By Judge Barrett.
Brewster vs. Manning.—Order settled; let it be recopied and handed up.
Johnson vs. Andrews.—Motion must be denied, with \$10 costs.
Mitchell vs. Hallock and Three Other Actions

Mitchell vs. Hallock and Three Other Actions Against the Same.—Motion in former actions granted, without costs, upon the ground that under chapter 75, Laws of 1854, &c., &c. Webb vs. Webb.—Motion denied, with \$10 costs. Beals vs. Lane.—Application denied.

Ives vs. Heath.—Motion granted in part and denied in part, without costs.

Continental Bank vs. Cole.—Motion granted with costs. (See memorandum.)

costs. (See memorandum.)

Reigoid vs. Puebla.—Motion to vacate order of arrest denied, with \$10 costs.

Romain vs. Garth.—Motion denied, with \$10 osts. In the Matter of the Petition of Roberts for the

payment of moneys.
Goldberg vs. Dunseith.—Injunction confirmed
"pendante like," with \$10 costs to abide event.
In the Matter of Carlisle Norwood.—Moton denied, without costs.
The People, &c., Silcocks, vs. Board of Estimate.—Motion for a mandamus denied, with costs.

Hanning vs. Hanning.—Referred back for further proof.

Smith vs. Mills.—Motion to change place of trial denied, with \$10 costs.

The People, &c., Purser, vs. Green.—Motion for mandamus in six cases denied, on the ground that the relator has a remedy by action.

By Judge Fancher.

In the Matter of the Petition of Lorilard Spencer.—Petition granted.

In the Matter of the Petition of Delefield.—Memorandum for counsel.

Kapp vs. Kapp.—Reference ordered.

### SUPERIOR COURT-SPECIAL TERM. Decisions.

By Judge Van Vorst,
Tacker vs. Brown, Parker vs. Colarel, Zimmer vs.
Hogemaen, Fellows vs. Dickinson, Meyeberger vs.
Goedeck, Stanton vs. Stewart, Hermann vs. Meyer,
Strong vs. Edwards.—Orders granted.
Beach vs. O'Brien.—Motion denied.
Baker vs. Koethe.—Motion denied.
De Forrest vs. McDowell.—Order of reference.
Gayberry Manuacturing Company vs. Allen.—
Order ior judgment on remittitur.
Stewart vs. Radiord.—Judgment for plaintiff.

COURT OF COMMON PLEAS-SPECIAL TERM.

Trouble About the Rent of the Athenæum. Before Judge Robinson.

Some time since Robert W. Butler and Francis B. Murphy rented the Athenaum Theatre from William H. Craig at \$300.a week. About a week ago Samuel Schafter, from whom Mr. Craig had got the first lease, brought proceedings to dispossess and obtained a judgment in Judge Hart-man's Court. Messrs. Butler & Murphy at once brought suit to restrain Mr. Schafter from dispossessing them, ciaiming that the latter knew them to be tenants under Mr. Craig. and that they had read the result according to contract. them to be temants under Mr. Craig. and that they had paid the rent according to contract. They obtained an injunction to prevent the execution of the dispossess warrant. Application was made in this Court yesterday to dissolve the injunction. Mr. Schafter answered that he never knew anybody but Mr. Craig in the matter; that there was \$900 rent unpaid, and that he had a right to dispossess. The Court dissolved the injunction.

MARINE COURT-PART IL Action for Assault and Battery. Before Judge Howland. Henry McNuity vs. Patrick and Charles

McShane,—The plaintiff alleges that on the 9th of last March while in the defendants' liquor store they assaulted him, without cause or provocation on his part, and beat him on the head, one with a club and the other with a cart rung, so that his life was despaired of for several days, and he was unable to do any work for five or six weeks. The defendants testified that the plaintiff came into their store and was abusing an old man by the name of Peter Nugent; they ordered him out; he relused to go and they put him out and closed the door. He kicked in two of the panels of the door and they then went out and were obliged to use force in removing him from the premises. Officer Warner, of the Sixth defendants testified that the plaintiff came into their store and was abusing an old man by the name of Peter Nugeni; they ordered him out; he reinsed to go and they put him out and closed the door. He kicked in two of the panels of the door and they then went out and were obliged to use force in removing him from the premises. Officer Warner, of the sixth precinct, and several others testified that the plaintiff's character for peace and quietness was very pad, and the plaintiff admitted that he had been arrested for disorderly conduct.

The Court, in charging the jury, said that if they found that the plaintiff kicked in the panels of the door and was noisy and troublesome, the defendants had a right to use sufficient force to remove him from the premises; and while they had no right to use undie violence, still they could not be held to a very strict accountability, as it would be very difficult, under the circumstances, to decide as to the absolute amount of force necessary to be used. The jury found a verdict for the defendants.

COURT OF GENERAL SESSIONS. Before Recorder Hackett.

A large number of prisoners were disposed of yesterday by the Recorder, District Attorney Rollins prosecuting. An Assault Upon a Woman. Charles O'Neil, who was jointly indicted with four

upon Johanna Handley, on the 5th of September, pleaded guilty to an attempt to perpetrate the pleaded guilty to an attempt to perpetrate the offence.

Peter Quinn pleaded guilty to an assault with a dangerous weapon, with intent to do bodily harm, the allegation being that on the 27th of September he cut John Smith in the lace with a knile.

O'Neil and Quinn were each sent to the State Prison for four years.

young men, charged with committing an outrage

Grand Larcenies. Charles F. Osborne, who on the 10th of June stole a gold-cased watch and chain, valued at \$70, from the vest of Lemuel L. Burke, which he placed on the counter of a Broadway clothing store, pleaded guilty to an attempt at grand larceny. James Murphy, who was charged with snatching

a pocketbook, containing \$4, from Mrs. Whittemore, in Twelith street, on the 22d of September, pleaded guilty to petit larceny from the person. These prisoners were each sent to the State Prison for two years and six months. John McCarty pleaded guilty to stealing from

Mary Bradley, on the 3d inst., wearing apparel valued at \$28. Two years in the State Prison was the sentenced imposed by the Court. Joseph McGraie (a youth), who stole a silver watch and a gold chain, valued at \$40, belonging to John J. Davis, pleaded guilty. His Honor sent him to the Penitentiary for the period of two years and six months.

John McMahon pleaded guilty to assault and

John McMahon pleaded guilty to assault and battery, it was charged that on the 2sth of September he stabbed James Brown in the breast with a knile, but the injury proved to be very slight.

Annie McCue (a young girl), who was charged with stealing a gold chain, worth \$48, and a popin dress, valued at \$75, the property of Mary Ann Davis, pleaded guilty. The Recorder sent her to the House of Refuge.

Charles McLaughlin pleaded guilty to attempting to steal a watch and chain, worth \$40, from William Dunn, on the 24th of August. The prisoner was remanded for sentence.

Accusiteals.

Acquittals.

Sarah Clark was tried upon a charge of stealing gold watch and chain, valued at \$75, on the 15th of September, from the bureau of a disreputable house kept by Fanny Meyers. As there was oppor-

tunity for other persons beside the accused to take the property, the jury rendered a verdict of not guilty.

Frank Fleet was also acquitted of a similar charge, the complainant, William Gordon, swear-ing that he suspected the accused of taking \$30 from him in a drinking saloon on the 1st of last month. month.

Patrick M. J. Rehill was tried upon a charge of stealing \$37 from the ourean of the keeper of a Greene street establishment on the 25th of Septem-

ber. The evidence was legally insufficient to sus-tain the charge, and the jury rendered a verdict of not guilty.

John Dwyer was charged by Catherine Anderson with attempting to commit an outrage upon her; but when put on the witness stand she could not leently the accused. By direction of His Honor the jury rendered a verdict of acquittal.

### JEFFERSON MARKET POLICE COURT.

The New Liquor Law-No Penalty Attached to a Violation of Its Provisions. The first arrest for violation of the new Excise law of 1873, relating to selling intoxicating liquors, was made by officer Grinnan, of the Eighth precinct, on Sunday last, in the person of Peter Gonzales, who keeps a saloon at No. 174 South Fifth avenue. The prisoner was arraigned before Justice Bixby at the Jefferson Market Police Court yester-Bixby at the Jefferson Market Police Court yester-day morning. When the case was called Mr. James D. McClelland, appeared as counsel for the de-fence and inquired of the Court under what law his client was chargeable with a misdemeanor. He argued that the law of 1868, making the selling of liquor without a license a misdemeanor, had been repealed by the act of 1870, and that the act of 1873 did not review it, and that there was no penalty prescribed for a violation of its provisions. After reading the various statutes on the subject the Justice was induced to regard the counsel's view as correct, but reserved his decision.

## COURT CALENDARS-THIS DAY.

COURT CALENDARS—THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Fancher.—Nos. 65, 72, 82, 84, 85, 87, 94, 113, 114, 119, 120, 125, 128, 159, 160, 172, 175, 177, 4, 179, 184, 189, 197. Special Term.—Adjourned until Monday, October 20, Supreme Court—General Term—Held by Judges Brady and Barrett.—Nos. 8, 123, 265, 212, 149, 61, 62, 109, 110, 111, 3, 7, 14, 18, 23, 43, 61, 62, 65, 69, 70, 77, 245, 243, 80.

SUPREMOR COURT—Part 1—Held by Judge Barbour.—Nos. 687, 675, 251, 605, 61, 1031, 747, 749, 751, 753, 756, 757, 759, 761, 763. Part 2—Held by Judge Preedman.—Nos. 406, 698, 708, 598, 426, 390 34, 628, 566 476, 678, 118, 720, 722, 724, 726.

COURT OF COMMON PLEAS—Part 1—Held by Judge Daiy.—Nos. 322, 1838, 1762, 387, 68, 1805, 1809, 1810, 1811, 1812, 1815, 1816, 1807, 1825, 1826, 1828, 1833, Part 2—Held by Judge Loew.—Nos. 1027, 2325, 2326, 2337, 2328, 2320, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 66 CGURT OF COMMON PLEAS—EQUITY TERM—Held

CGURT OF COMMON PLEAS-EQUITY TERM-Held

2337, 2339.

CGURT OF COMMON PLEAS—EQUITY TRRM—Held by Judge Daly.—Nos. 2, 20, 59, 70, 72, 58, 74.

MARINE COURT—Fart 1—Held by Judge Gross.—
Nos. 23094, 2568, 2333, 1564, 2259, 1318, 1960, 2984, 2992, 2008, 2856, 2509, 2034, 982, 2854. Part 2—Held by Judge Howland.—Nos. 2856, 2359, 2501, 2775, 2337, 2756, 2809, 2310, 2301, 2983, 2826, 3219, 2839, 2832, 2814, 2562, 2365, 2490, 2617, 2097, 3181, 2047, 2753, 2932, 2144, 2568.

COURT OF GENERAL SESSIONS—Held by Judge Hackett.—The People vs. Patrick Reilly and Michael McGrooy, robbery; Same vs. John McNamara, rape; Same vs. Emma Griak, arson; Same vs. Peter Reilly, Dela Richardson, John Wren, George Burns and William T. Hawkins, felonious assault and battery; Same vs. William Mills, James Bergen, Peter Kelly, Patrick O'Nicl and John Caldon, burglary; William Johnson, John Duffy, Mortimer Sulivan, William Brown and Henry Page, larceny and receiving stolen goods; Same vs. Thomas McMahon and Sarah McCarty, grand larceny; Same vs. William Rafferty and John Ryan, larceny irom the person; Same vs. John H. Pisher, concealed weapons.

## BROOKLYN COURTS.

SUPPEME COURT-CIRCUIT. Damages to Property.

Before Judge Gilbert. George Kelsey, a pork packer on Classon avenue, is suing the New York Hemp and Flax Manufacturing Company. He charges that the defendants, whose establishment adjoins his property, have an open and shallow passage from their place which, by carrying off the hasty water into his packing houses, has damaged his property to the amount of about \$8,650. He brings suit to recover that

The defendants deny being aware that any damage has been caused, and further allege that they consider the passage in question sufficient to carry off the water, without any of it running over into the pla intuff's property. Case on.

### CITY COURT-SPECIAL TERM. Unsafe Building.

Before Judge McCue. Mr. Massey, Superintendent of Buildings, obtained an injunction some time since restraining T. C. Smith and T. Hatch from continuing in the erection of a building on Joramons street, near Chicton. The Superintendent charged that the building was unsaie. Yesterday his counsel moved to have the injunction continued. Counsel for the builders moved to dissolve the injunction. Judge McCue refused to dissolve the injunction, and will decide as to whether it shall be made permanent or not.

## PIRE IN WILLIAMSBURG.

Shortly after ten o'clock yesterday morning a fire broke out in the varnish room of the sheet iron factory of Smith, Burns & Co., Nos. 47, 49 and of South Fith street, Williamsburg. The flames spread rapidly through the interior of the building, but were promptly subdued by the Fire Department. The loss on stock and building will reach \$2,000; fully covered by insufance.

Outsider Know About the Market.

A COMMON MEETING GROUND.

Further Consideration of the Questions of Resumption and Currency Reform in Their Relation to Real Values.

Importance of Conservative Action.

#### LATEST TRANSACTIONS

There are various views to be had of the real estate market, and every day but demonstrates more clearly the incompleteness of each several view. We do not assert that any of these views are unworthy in their origin, or that the representative of any class would be untruthful in his stated convictions, but it belongs to all men to be induenced in their perceptions by self-interest, unconsciously frequently. Hence, in giving its proper weight to any opinion as to the present or future condition of the real estate market, this must be borne in mind. The auctioneer or broker, when his relation to the market is wholly vicarious is perhaps the most impartial authority, within the limited sphere of his vision, and as his commissions increase or diminish can tell whether the market is dull active, buoyant or depressed. In the two latter conditions of the market he can speak as one having authority when these conditions pertain to dealings. In the dull period of the market he is at sea and can only

REASON A POSTERIORI that property is held too high, it being a more human inference, though, not always correct, that the possessor overrates the value of his possession rather than that he who would seek to secure it for his own use should underestimate it. No matter what the event, however, the auctioneer's or broker's interest lies on the side of an animated market, as his commissions depend upon dealings. Hence, as between bull and bear, if influenced at all by this natural sympathy, he is on that side which promised the most transactions.

Turn we now to the owner's view of the market. He, if he is a large capitalist, capable of carrying his real estate without inconvenience, is indifferent to the ordinary changes that take place in current values from year to year, and when questioned as to his opinion respecting real estate as an investment calmly expresses his conviction that it is the only sale one. Speak to him of the possibility of a reaction, and he will assure you it can be only temporary; there can be no permanent decline. WEAK HOLDERS,

however, he will add, may suffer in such a crisis, but those who bought intelligently and understandingly upon sufficient margins have nothing to apprehend, while this shaking out of the weak hands will be in the end a benefit and tend to give greater strength to the whole market.

The buyer, on the other hand, seeking a profitable investment, looks half admiringly and half dis-

trastiuly at the high prices asked for choice prevailing thoping for an interval of decline that would enable him to "yet in" cheap. Between these several classes, alternately influencing one or the other, are the speculators, who buy without a furnity and "bear" as their immediate interests lie, and, operating largely on margins, frequently give a tone to the market other than legitimately belongs to it. The Herath Comes in here with its outside actions as they occur as so much contribution of fact in connection with the state of the condition of the condition

#### THE NEW STEAMSHIP GOETHE.

Another Reception Previous to Her Departure-Aristocratic and Fashionable Guests on Board.

The new steamer Goethe, Captain J. A. Wilson

of the Eagle line, owned by the German-Transatian

tic Steam Navigation Company of Hamburg, which arrived at her dock in Hoboken, October 1, will

leave this port to-morrow afternoon about halfpast two o'clock. In addition to the grand reception given on board of the magnificent vessel on Saturday night last, when General Grant's two gentlemen, were present, another reception of a similar but more private character was similar but more private character was given last evening to commemorate the event of the steamer's first trip back across the Atlantic. Captain J. A. Wilson and a large number of other distinguished guests were present. Speechmaking, all other enjoyments were the order of the evening. The vessel looked as neat as possible, and every particle of its machinery, ornamentations and furniture appeared to advantage. The vessel itself has already been described, and has been noted as one of the finest ships afford. It has three iron decks, is full brigrigged, and has eight large lileboats, two cylinders each lot inches in diameter, four feet six inches of stroke piston, and can run over fitteen miles an hour. Its first saloon is magnificently furnished and decorated, while the other saloons and steerage are of a superior kind. The great features of the vessel are her solid from mould, and the safety and protection afforded to passengers by the new inventions which have been introduced in her construction. Her flags will be hoisted this morning and she will steam down the bay with a number of leading merchants on board, 150 passengers, a crew of 120 men, a full cargo and a large amount of specie. The Goethe will no doubt have as fair a voyage back to Hamburg as she had on her trip here and more favorable, as even more additional improvements have been made during her stay. The civil officers of Hoboken were well received on board and all speak highly of Captain Wilson and his crew. Seven other vessels similar to the Goethe, and named after the German ports, are in course of completion by Messrs. Robert Napier & Sons, of Glasgow. given last evening to commemorate

#### A SPORTING MAN SHOOTS HIMSELP.

Patrick Brannigan, about forty-three years of age, formerly a faro dealer and sporting man generally, yesterday morning shot himself in the left ear with a revolver, while lying in bed at his residence, 323 East Thirty-third street. For some time past Mr. Brannigan had been drinking to excees, and on Sunday evening invited his wife to take a ride through Central Park, during which he was unusually quiet. This excited the suspicion of his wife, and she endeavored to rally him, but in vain. On reaching Luft's, out on the road, Brannigan drank the greater part of a small bottle of wine; and, returning home, went to bed, where he remained till ten o'clock yesterday morning, when he placed the pistol to his left ear, and, covering his head with the bedclothes, fired, the ball passing into his head. Brannigan, doubtless, was slightly deranged at the time of the occurrence. The wife soon found him bleeding and groaning, and asked why he had shot himself; but he refused to tell her, and admitted that he took laudanum the night previous, and, furthermore, that it was his intention to have taken his life. Mrs. Brannigan, fearing that her husband would die, sent for Coroner Keenan, to see if he would make any statement or explanation regarding the rash act. Brannigan was formerly quite wealthy, but his circumstances have become much reduced and he was in dobt. He is well known in sporting circles on the east side of the city. to excess, and on Sunday evening invited his

MARRIAGES AND DEATHS.

Married.

Andress—Price.—In Brooklyn, on Wednesday, October 8, at the residence of the bride's uncle, by the Rev. S. H. Glover, William H. Andress, Dr. C. B. Ansart.—Moraried. Ansart—McArthurs.—In Meadville, Pa., on Wednesday, October 1, by the Rev. Mr. Lewis, Dr. C. B. Ansart.—Office, at the First presbyterian church, Monagina, october 12, Philip Monagina, No cards.

Ansart—McArthurs.—In Meadville, Pa., on Wednesday, October 1, by the Rev. Mr. Lewis, Dr. C. B. Ansart, of Oil City, Pa., and Miss Jennie, McArthurs, of Meadville, Pa.

Balddyn,—Sofer.—At Ellwood, L. I., on Wednesday, October 14, at one P. M., from his late residence of the bride's parents, by Rev. J. Bryant Smith, William A. Balddyn to Hannam E. Sofer, all of Huntington township, L. I.

Bollton,—Fagnan.—On Saturday, October 11, at the residence of the bride's parents, David T. Bollton, of Halifax, N. S., to Fannie H., second daughter of Joseph U. Fagnan, of this city.

Bulkery—De La Plaine.—At the rectory of St. George's church, Brooklyn, on Friday, October 10, by the Rev. C. H. Babcock, Arthur C. Bulkiey and Cornine De La Plaine.

Grant—James.—On Thursday, October 10, by the Rev. N. S. Rullson, Edward R. Grant—In Revenue Pierrepont and Clark streets, Brooklyn, on Triesday, October 10, by the Rev. C. H. Babcock, Arthur C. Bulkiey and Cornine De La Plaine.

Grant—James.—On Thursday, October 10, by the Rev. N. S. Rullson, Edward R. Grant to Rosaline H. L. R. Grant—James.—On Thursday, Cotober 10, by the Rev. N. S. Rullson, Edward R. Grant to Rosaline H. L. R. Grant—In Revenue Pierreport and Clark streets, Brooklyn, on Triesday, October 11, at two P. M. McCluskey.—On Sunday, October 12, Patrick, the beloved husband of Catharine McCluskey, aged 34, vars.

The relatives and friends of the family are residence, Grant—In Brooklyn, at his residence, Hoyt street, corner Second street, Christophala, and the function of Christophala, and the function of Christophala and the function of Christophala and the function of the family are res

LINE H., daughter of Thomas W. James, Esq., all of Jersey City.

HATCH—HATCH.—On Tuesday evening, October 7, at the residence of Mr. Rufus Hatch, by the Rev. Hugh Miller Thompson, Albert J. HATCH to Lizzy R. HATCH, all of this city.

Ogden—Lounsbury.—In Fishkill, N. Y., on Thursday, October 9, at the residence of the bride, by the Rev. Oliver E. Cobb, of Finshing, L. I., Mr. Eli Ogden to Miss Nettle, youngest daughter of the late Joshua Lounsbury.

PARKER—HEGEMAN.—On Wednesday, October 8, at the residence of the bride's sister, by the Rev. John E. Cookman, Thomas M. PARKER, of Red Bank, N. J., to Miss Amelia S. Hegeman, of this city. No cards.

Bank, N. J., to miss Abelia o. city. No cards.

THOMAS—MARSTON.—On Thursday, October 9, at the Clinton avenue Congregational church, in Brooklyn, by the Rev. Edwin F. Hatfield, D. D., of New York, Robert G. Thomas to Anna Gerthude, daughter of William H. Marston, Esq., both of

Birth. HAYNES.—At Lewisham, Kent, England, on Mon-day, September 29, 1873, Mrs. Charles E. Haynes of a daughter.

BACKUS.—On Sunday, October 12, after a long and severe illness, Mrs. KATE BACKUS, wife of Charles Backus, aged 28 years, 3 months and 13 days. days.

The relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, No. 213 West Twelfth street, on Wednesday, 15th inst., at eleven o'clock A. M. Herremains will be taken to Greenwood for interment.

REPRESENT OF SUNDAY OCCUPATIVE ALERTY

late residence, No. 213 West Twelfth street, on Wednesday, 15th inst., at eleven o'clock A. M. Her remains will be taken to Greenwood for interment.

Birnbaum.—On Sunday, October 12, at eight o'clock P. M., Z. Birnbaum.

Relatives and friends, also the members of Zion Lodge No. 2, I. O. B. B., and Chebrah Bikur Cholim, are cordially invited to attend the funeral, from his late residence, No. 449 East Filty-sixth street, on Wednesday, October 16, at one o'clock P. M.

The members of Zion Lodge No. 2, I. O. B. B., are hereby invited to attend the funeral of Brother Z. Birnbam, which will take place on Wednesday, 15th inst., at one o'Elock P. M. sharp, from his late residence, No. 449 East Filty-sixth street. By order of the President.

CHARLES NORTHSHIELD, Secretary.

BOGLE.—In Brooklyn, on Saturday, October 11, James Bogle, N. A., in the 57th year of his age. Funeral services will be neid at his late residence, No. 111 Lefferts place, on Tuesday, October 14, at eleven o'clock A. M. Relatives and friends, and the members of the National Academy of Design, are respectfully invited to attend, without further notice. The Futton avenue cars pass at Classon avenue, within one block of the house.

The members of the National Academy of Design are invited to attend the funeral of James Bogle, N. A., at eleven o'clock A. M., no Tuesday, October 14, from his late residence, No. 111 Lefferts place, Brooklyn.

The Disson RICHARDS,

Corresponding Secretary N. A.

BRADLEY.—On Monday, October 13, BETSEY G., daughter of the late Colonel Daniel Richards, in the 47th year of her age.

The relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, Bloomfield, N. J., on Wednesday morning, 15th inst., at ten o'clock. Trains leave foot of Barclay street at ten minutes to eight and ten minutes to inne o'clock.

Browne.—At Long Island City, on Monday, October 15, at eleven o'clock A. M., The minutes to minute to eight and ten minutes and friends are respectfully invited to attend.

Brin

county Fermanagh, Ireland, in the 7cth year of his age.

The relatives and friends of the family are respectfully invited to attend the funeral, from St. James' Roman Cathelic church, where a solemn requiem mass will be ofered up for the benefit of his soul, and from thence to Calvary Cemetery for interment, without further notice.

CLAYTON,—On Manday, October 13, 1873, after a

short but severe illness, RESECCA CLAYTOR, twind daughter of Sarah and the late John S. Ckayton, in the 10th year of her age.

Funeral to take place from the residence of her mother, No. 7 Clarke street, on Wednesday, 15th of October, at one o'clock.

Doody, son of Patrick and Bedelia Doody, aged 2 years and 9 months.

Relatives and friends are respectfully invited to attend the funeral, on Wednesday, the lith inst., at two o'clock, from the residence of his parents, 402 West Forty second street.

Dolan.—On Monday, October 13, Patrick Dolan, a native of Kiltecreeva, county Longford, Ireland. The friends and relatives are requested to attend the funeral, from his late residence, 44f West Thirty-ninth street, on Wednesday evening, October 13, at two o'clock to Calvary Gemetery.

EHMANN.—On Monday evening, October 13, 1873, Carrie, daughter of Mrs. Caroline Ehmann, aged 21 years. It years.
The remains will be taken to Philadelphia for in

terment.

EVANS.—On Sunday, October 12, THOMAS EVANS, in the 36th year of his age.

Relatives and friends of the family and the members of Latayette Lodge and of the Warren Association are respectfully invited to attend the funeral, from his late residence, No. 364 West Fifteenth street, on Tuesday, October 14, at one closek.

funeral, from his late residence, No. 364 West Fifteenth street, on Tuesday, October 14, at one o'clock.

LAFAYETTE LODGE, No. 64, F. AND A. M.—The members are summoned to attend a special communication, to be held in lodge rooms, this day (Tuesday), at twelve o'clock M.

W. IRVING ADAMS, Secretary.
WARREN ASSOCIATION.—A special meeting of this association will be held this day (Tuesday), October 14, at No. 217 Spring street, at twelve o'clock, to attend the funeral of our late associate, Thomas Evans,
JOHN STOOTROFF, President.
JOHN MILLAR, Secretary.
FAGAN.—On Monday, October 13, 1873, JAMES E. FAGAN.—On Monday, October 14, Tagan, and son of Owen and Catherine Fagan, Upper Abby street, Dublin, Ireland.
The friends of the family are respectfully invited to attend the funeral, from his late residence, corner of Tenth and Fifty-second streets, on Wednesday, at two P. M.
Dublin papers please copy.
FABBRONI.—On Sunday morning, October 12, JOSE-PHINE, widow of Fabrian Fabbroni, in the 71st year of her age.
Funeral this day (Tuesday), at ten A. M., from her late residence, No. 655 Third avenue. The friends are invited to attend without further notice.
GREENAN.—On Sunday, October 12, after a short but severe illness, Monica, wife of Thomas Greenan, and daughter of William and Ann McGuiness.
Relatives and friends of the family are respectfully invited to attend the Juneral, from her late residence, 114 West Seventeenth street, on Tuesday, October 14, at one o'clock.
Canada papers please copy.
GUNNER.—On Saturday, October 11, PETER WELLING, son of John and Kate Gunner, in the 17th year of his age.
Relatives and friends are respectfully invited to attend the funeral, from the residence of his parents, 322 East Fifty-fifth street, on Tuesday, 14th just. at twelve o'clock M.

year of his age.

Relatives and friends are respectfully invited to attend the funeral, from the residence of his parents, 322 East Fifty-fifth street, on Tuesday, 14th inst., at twelve o'clock M.

Hiors.—At St. Luke's Home, on Sunday, October 12, Marpha J. I. Hiors, aged 70 years.

Funeral this day (Tuesday), October 14, at hairpast one P. M., at the Home, corner of Eighty-minth street and Madison avenue.

Honeck.—On Saturday, October 11, Lieutenant John H. Honeck, aged 49 years.

The relatives and friends of the family and the officers and members of K Troop, Third regiment, are respectfully invited to attend the funeral, from his late residence, 495 Second avenue, corner Twenty-eighth street, on Weduesday, October 15, at one o'clock P. M.

JOHNSTON.—At New Durham, N. J., on Sunday, October 12, at the residence of her uncle, John Williams, Prepule Johnston, aged 21 years.

The relatives and friends are respectfully invited to attend the funeral, on Tuesday, October 14, at two o'clock, from the Grove church.

LEDDY.—At his residence, Fernandina, Fla., on Monday, October 13, Captain Thomas Leddy, late of the Sixty-ninth, New York Volunteers.

LESTER.—On Sunday, October 12, the only and beloved son of John and Elizabeth Lester, aged 9 years.

The friends are respectfully invited to attend the

beloved son of John and Elizabeth Lester, aged by years.

The friends are respectfully invited to attend the funeral, from his lather's residence, 102 James street, on Tuesday, at one o'clock, to Calvary Cemetery.

Livingsron.—At Newburg, on Saturday, October 11, Mary Livingsron, widow of Thomas Barclay Livingston and daughter of John Watts Kearney, deceased, of Saugerties. N. Y.

Funeral on Tuesday, October 14, at one o'clock, at Trinity church, Saugerties. at Trinity church, Saugerties.

MILLER.—At Peekskill, N. Y., on Sunday, October
12, after a lingering lilness, Mr. WILLIAM MILLER.

of the late John Dunderdale.

Relatives and friends are invited to attend the funeral, from Dr. Booth's church, corner of University place and Tenth street, at a quarter to one o'clook, Tuesday, October 14.

McKigney.—On Monday, October 13, Sarah McKigney.—On Monday, October 14.

The relatives and irlends of the family are respectfully invited to attend the funeral, from the residence of her nephew, Farrell Dorrity, No. 240 East Thirty-second street, on Wednesday, October 15, at haif-past one o'clock P. M.

Belfast (Ireland papers please copy.)

Noice.—Suddenly, on Wednesday, September 17, at Bootle, near Liverpool, England, Edward Noice, of Princeton, N. J.

of Princeton, N. J.
OSTROM.—At Tappantown, on Sunday, October
12, Mary Van Antwerp King, widow of Samuel Ostrom.

Funeral on Wednesday noon, 15th inst., at twelve o'clock, from First Reformed church, Market street, Newark, N. J.

Pollock,—On Sunday evening, October 12, Willer Michiner, youngest son of Alexander and Annie A. Pollock, aged 3 years, 10 months and 6 days

Anne A. Polock, aged 3 years, 10 months and 6 days.

Relatives and friends of the family are invited to attend the funeral, on Tuesday, October 14, at one o'clock P. M., at the residence of his parents, No. 208 East Sixty-second street.

RESE.—On Monday, October 13, 1873, HARRIET ALICE RESE, aged 9 years and II months, youngest daughter of C. S. and Harriet Rese.

Funeral takes place from her parents residence, East New York avenue, on Wednesday, October 15, at two o'clock P. M.

ROBERTS.—On Sunday, October 12, John T. Roberts, and John S. October 15, at two o'clock P. M.

ROBERTS.—On Sunday, October 12, John T. Roberts, only son of James and Martha A. Roberts, aged 28 years and 20 days.

The relatives and irlends of the family, also members of Crystal Fount Division, No. 20, S. of T., are requested to attend the funeral, from the residence of his parents, 827 Fulton street, on Tuesday, October 14, at half-past two P. M.

Marietta (Ohlo) papers please copy.

ROLLWAGEN.—On Saturday, October 11, FREDERICK ROLLWAGEN, in the 57th year of his age.

The relatives and irlends of the family are respectfully invited to attend his funeral, from his late residence, No. 312 East Ninth street, on Tuesday, October 14, at two o'clock P. M.

SMITH.—On Friday evening, October 10, Mrs. CATHARINE SMITH, mother of the late Isaac William Smith, aged 22 years.

The friends of the family are invited to attend the funeral, at her late residence, 430 West Thirty-fourth street, on Tuesday, October 14, at ten o'clock, A. M.

Boston and Newburyport papers please copy.

STEFFENS.—On Saturday, October 11, 1873, at seven o'clock P. M., CHARLES, only son of Carsten H. and Mary Steffens, aged 7 months.

Relatives and friends are cordially invited to attend the funeral, on Wednesday, October 15, at two o'clock P. M., If nom the residence of his parents, corner of Marcy and DeKalb avenues, Brooklyn.

Stockman.—Suddenly, on Sunday morning, October 13, Avis, widow of James Stockman, days.

Relatives and friends of the family are invited to

Brooklyn.

Stockman.—Suddenly, on Sunday morning, October 12, Avis, widow of James Stockman, Devonshire, England.

Funeral to-morrow (Tuesday), at one o'clock P. M., Irom ner late residence, Morning Star road, Port Richmond, S. I.

UPSON.—On Sunday, October 12, Martha Ann UPSON, aged 79 years.

Funeral services at the residence of her son, Augustus F. Upson, No. 22 Hope street, Brooklyn, E. D., on Thursday, October 14, at two o'clock P. M. Relatives and friends of the family and members of Baitte Lodge No. 284, F. and A. M., are respectively invited to attend.

Van Houten.—On Monday, October 13, at seven P. M., Richard Van Houten, in the 42d year of his age.

P. M., RICHARD VAN HOUTEN, in the 42d year of his age.

Relatives and friends are respectfully invited to attend the funeral services, at his late residence, 373 West Fourteenth street, on Tuesday evening, October 14, at half-past seven o'clock.

Hope Lodge, No. 244, F. AND A. M.—BRETHREN—You are hereby summoned to attend a special communication, at the rooms, on Wednesday morning, October 15, 1873, at seven o'clock, for the purpose of attending the funeral of our late worthy brother, Richard Van Houten. By order

GEO. E. FISHER, Master.

E. F. Sheridan, Secretary.

Wardlaw.—At New Brighton, S. I., on Sunday, October 12, ANNE B., beloved wife of James Wardlaw, in the 38th year of her age.

Funeral will take place on Tuesday, October 14. Carriages will be in waiting in New York, on arrival of the Staten Island boat from Quarantine, at a quarter before three o'clock F. M., thence to Greenwood. Friends of the family are invited to